

## **REMARKS**

Applicants believe that the following comments will convince the Examiner that the rejections and objections provided in the July 08, 2003 Office Action have been overcome and should be withdrawn.

### **I. THE INVENTION**

The present invention is a novel reflective imaging system that allows a reflective device, e.g., a mirror, to be strategically placed in a variety of locations. Therefore, many locations within a room, or any other area, may be viewed by adjusting the location and position of the reflective device. The device is fully adjustable for use with a solid structure such as a computer and only requires one surface for mounting.

Specifically, the present invention provides a mounting means, an arm, and a backing means that couples to the reflective device.

The flexibility of the mounting means allows a user to mount the mirror assembly to the top, side, front or bottom of a solid surface. Further, the invention permits a user to simply apply a small amount of force to remove the assembly and secure it in a new location. Thus, the mounting means is not permanently located in any one

position, which will allow the user to change the location of the device whenever a change is desired.

In an alternative embodiment, the device includes an L-shaped bracket that can swivel within a bore.  
5 Furthermore, the multiple bores are provided in the mounting means to allow the mirror to be placed in various positions.

## **II. THE EXAMINER'S REJECTIONS**

### **A. 35 U.S.C. § 102(e)**

10 The Examiner has rejected claims 1, 2, 6, 8, 9, 11, 12, 14-18, 22, 24, 25, 27, 28, 30-32, 36, 39, 40 and 42 under 35 U.S.C. § 102(e) as being anticipated by Whitcomb U.S. Patent No. 6,244,718 (hereinafter referred to as "Whitcomb"). The Examiner contends that Whitcomb teaches:

15 "a mirror (10), an arm (16) connected to mounting means (11) and to the mirror, and backing means. The mirror could be planar or convex. The mounting and backing means could be a ball and socket, or any other desired means."

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### **B. 35 U.S.C. § 103(a)**

The Examiner rejected claims 3-5, 7, 10, 19-21, 23, 26, 33-35, 37 and 38 under 35 U.S.C. § 103(a) as being unpatentable over Whitcomb. The Examiner noted that  
25 Whitcomb accepts any type of fastening or securing means and therefore argued that "any of the fastening or securing

means known to those skilled in the art could be used in Whitcomb's invention." Further, according to the Examiner:

5 "the use of a mirror not planar or convex is also considered as an obvious matter of engineering choice having no patentable significance, since a specific type of mirror has no effect in the instant invention."

### III. THE EXAMINER'S REJECTIONS SHOULD BE WITHDRAWN

10 B. 35 U.S.C. § 102

The Examiner has rejected claims 1, 2, 6, 8, 9, 11, 12, 14-18, 22, 24, 25, 27, 28, 30-32, 36, 39, 40 and 42 under 35 U.S.C. § 102(e) as being anticipated by Whitcomb. Applicants respectfully submit that the design of Whitcomb  
15 is limited to placement on the corner of a solid structure such that it must be mounted on two surfaces which meet to form an angle. For example, attaching the structure of Whitcomb's design to a computer monitor requires the utilization of at least two surfaces of the computer  
20 monitor. In fact, the device disclosed by Whitcomb has a recess cut out to ensure that it will fit securely into a corner of a monitor or VDU. Referring to FIG. 3, Whitcomb states:

25 "In addition this figure shows a recess R in the case C of the mirror. This recess is preferably a rectilinear cut-out to permit the mirror to be mounted to a corner of a monitor or VDU."

This design does not permit the same level of adjustability and flexibility of placement as the present invention does. For example, if a user wishes to secure the device of Whitcomb to the middle of the top of a computer monitor, it  
5 would not be possible -- the shape of the mounting means would not permit a proper fit.

The present invention is designed to fit on the top, sides, front, etc. of a solid structure. It does not need to be placed where two surfaces meet, which is required by  
10 Whitcomb. In stark contrast to the device disclosed in Whitcomb, the present invention need only come in contact with one surface of a solid structure for proper attachment. It is not limited in placement or location and can be moved to a different place as desired -- it is not  
15 "permanently fixed" in a way that would make changing its location difficult. This may be useful if the location of the monitor in the room changes.

Furthermore, the present invention discloses a mirror mounting means which comprises a plurality of bores,  
20 corresponding to the right, middle and left of the imaging component, for securing to the mounting means. Any one bore may be selected for use, providing a novel variability for maximizing the obtainable field of view. Whitcomb is limited to the rotation or movement of the imaging

component with no alterations of location in which the imaging component is coupled to the mounting means. This is obvious from FIG. 10 of Whitcomb which displays an imaging device with an arm mounted to the corner of a computer monitor. The arm can rotate to view a variety of angles, however, the mounting means is fixed. In contrast, the bore design of the present invention, as illustrated in FIG. 2, allows the mounting location to be adjusted, in addition to rotation of the device. This allows for a much more extensive variety of possible views.

Thus, the present invention, for the first time, discloses a novel rearview imaging assembly with flexibility in placement of mounting as well as rotation. This flexibility allows the user to mount the mirror assembly to the top, side, front or bottom of a solid surface and the multi-directional rotation and movement allows for a wide variety of possible placements for the imaging device, including varying distances from the computer monitor. Thus, placement is not limited to one particular spot for which the particular design of the mounting means is fitted. Furthermore, the present invention only needs to come into contact with one surface in order to be properly attached to any given item. Whitcomb requires at least two. This represents a vast

improvement over the prior art, and is not taught or disclosed anywhere in the prior art. Further, the cited reference neither teaches nor suggests the novel and nonobvious features of this invention.

5           C.    35 U.S.C. § 103

          The Examiner rejected claims 3-5, 7, 10, 19-21, 23, 26, 33-35, 37 and 38 35 U.S.C. § 103(a) as being unpatentable over Whitcomb in view of knowledge commonly held in the art. Once again, Applicants believe that the  
10 Examiner's reliance on Whitcomb is inappropriate. As described above, the present invention discloses a novel rearview imaging device that does not require the use of two or more surfaces of a solid structure for proper attachment. Instead, the present invention discloses a  
15 device that will fit onto any location of a computer monitor (including the middle of only one surface of it) or other solid structure without altering the design. This affords the user the opportunity to view a room from all perspectives and at all different angles, and to easily  
20 change placement of the device to suit the user's needs. In light of this feature, the matter claimed in the above pending claims is not obvious in view of Whitcomb, which does not even hint at such a limitation or its resulting functionality. Consequently, Applicants respectfully

submit that the rejected claims are patentable over Whitcomb and requests reconsideration by the Examiner.

**CONCLUSION**

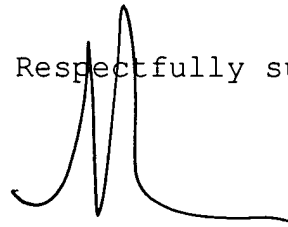
In light of the foregoing remarks, Applicants submit that all pending claims are now in condition for allowance. Early and favorable action is accordingly solicited.

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Date: \_\_\_\_\_

11/7/03

Respectfully submitted,



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